IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 12634 of 2007(D)

PETITIONER:

MODEL MEDI DIAGNOSTIC CENTRE PVT.LTD.,
PULIKKAL BUILDINGS, M.G.ROAD,
COCHIN-682 016, REPRESENTED BY ITS
MANAGING DIRECTOR, DR.P.V.THOMAS.

BY ADV. SRI.JOSEPH MARKOSE
SRI.MATHEWS K.UTHUPPACHAN

RESPONDENTS:

SALES TAX INSPECTOR,
SALES TAX CHECK POST, WALAYAR.

BY ADV. SHRI. MOHAMMED RAFFIQ, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 12634/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF JUDGMENT DATED 21/12/2006 OF THE KERALA HIGH COURT IN W.P.(C)No. 11965/2005.

P2 : COPY OF PETITIONER'S LETTER DATED 16/03/2007 TO THE RESPONDENT.

P3 : COPY OF RESPONDENT'S LETTER DATED 26/03/2007 TO THE PETITIONER.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 12634 of 2007

Dated, this the 7th day of June, 2007

J U D G M E N T

Since Bank guarantee furnished by the petitioner is to clear entire tax liability, which is declared invalid by this Court in batch cases including petitioner's case, this WP(C) is disposed of directing respondent to release the Bank Guarantee to the petitioner within one week from the date of production of a copy of this judgment. If appeal against the judgment is allowed and liability is sustained, there will be direction to the petitioner to make payment to the Government.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg